

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE EXPRESS SCRIPTS/ANTHEM  
ERISA LITIGATION

**ORDER**

16 Civ. 3399 (ER)

RAMOS, D.J.

Plaintiffs brought this suit on May 6, 2016. Doc. 1. In their operative complaint, Plaintiffs asserted seventeen causes of action against Anthem, Inc. and Express Scripts, Inc., including causes of action under the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 *et seq.*, the Racketeering Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961 *et seq.*, and the Patient Protection and Affordable Care Act anti-discrimination provision, 42 U.S.C. § 18116. Doc. 78. On April 24, 2017, Defendants moved to dismiss Plaintiff's operative complaint. Docs. 93 and 96. On January 5, 2018, the Court granted Defendants' motions without prejudice. Doc. 156. Plaintiffs timely appealed. *See* Doc. 163. On February 3, 2021, the Second Circuit issued a mandate affirming the Court's January 5, 2018 Order. Doc. 170. Accordingly, the Clerk of Court is respectfully directed to close this case.

Dated: April 13, 2021  
New York, New York



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EDGARDO RAMOS, U.S.D.J.